

PATENT  
ATTORNEY DOCKET: 46884-5500

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Hiroyuki KYUSHIMA et al. ) Confirmation No.: 2693  
Application No.: 10/589,602 ) Group Art Unit: 2879  
Filed: August 16, 2006 ) Examiner: Thomas A. Hollweg  
For: PHOTOMULTIPLIER AND ITS )  
MANUFACTURING METHOD )

Commissioner for Patents  
U.S. Patent and Trademark Office  
**Customer Window, Mail Stop Amendment**  
Alexandria, VA 22314

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. This Information Disclosure Statement is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Action, a Notice of Allowance, or another action that closes prosecution in the above-referenced application. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00, as specified by § 1.17(p).

An International Search Report dated June 7, 2005 that issued in an International patent application and having documents cited therein is attached for the Examiner's consideration.

Except as discussed below, the cited documents are listed on the attached PTO Form 1449 and copies of the cited non-U.S. patent documents are also attached hereto.

While the International Search Report dated June 7, 2005 additionally cites to U.S. Patent No. 5,568,013 and U.S. Patent No. 3,244,922, these documents are not listed on the attached PTO Form 1449 because they were previously cited in an Information Disclosure Statement in this application on August 16, 2006.

The relevance of the attached foreign language documents can be understood at least from the attached English-language abstracts, English-language translation, and/or from the citations of the documents in the attached International Search Report dated June 7, 2005.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over any of the listed documents, should any of the documents be applied against the claims of the present application.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including

any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**DRINKER, BIDDLE & REATH LLP**

By:

  
Paul A. Fournier  
Registration No. 41,023

Dated: May 4, 2010

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